

**Juda J. Epstein, Esq.**  
**The Law Office of Juda J. Epstein**  
**Counsel to Water Pollution Control Authority for the City of Bridgeport**  
**3543 Main Street, Second Floor**  
**Bridgeport, CT 06606**  
**(203) 371-7007**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

Hearing Date:12/16/2009  
Hearing Time:10:00 AM

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In re:

Chapter 11 Case No.

LEHMAN BROTHERS HOLDING, INC.  
*et al.*

08-13555 (JPM)

(Jointly Administered)

Debtors

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**NOTICE OF MOTION SEEKING AN ORDER GRANTING RELIEF FROM**  
**THE AUTOMATIC STAY**

SIRS:

**PLEASE TAKE NOTICE** that Water Pollution Control Authority for the City of Bridgeport (“Movant”) seeks relief from the automatic stay as to the property located at 534-540 Hallett Street, Bridgeport, Connecticut, (the “Premises”) and will move before the Honorable James M. Peck, United States Bankruptcy Judge in the Courtroom located at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, NY 10004 on December 16, 2009 at 10:00 A.M., or as soon thereafter as counsel may be heard, for an Order:

1. Pursuant to Bankruptcy Rule 4001 and 11 U.S.C 105(a) and 362(d) Movant, its agents successors and/or assigns, seek relief from the automatic stay as to Movant's interest in real property known as 534-540 Hallet Street, Bridgeport, Connecticut 06608; and
2. Waiving the ten (10) days stay invoked pursuant to F.R.B.P. 4001(a)(3); and
3. Granting Movant such other and further relief as is just and proper.

**PLEASE TAKE FURTHER NOTICE** that objections, if any, to the relief herein requested shall be in writing, shall state with particularity the grounds for the objection, shall be filed with the clerk of the Bankruptcy Court and served upon, the undersigned counsel for the Movant three (3) days prior to the return date and upon any other person whose interests would be affected if the objection is sustained.

Date: August 24, 2009

Bridgeport, CT

Respectfully submitted,

By: /s/ Juda J. Epstein  
Juda J. Epstein, Esq. – ct 08704  
3543 Main Street  
Second Floor  
Bridgeport, CT 06606  
Telephone: (203) 371-7007  
Email: lawofficesjje@aol.com

To: See attached Service list

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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**ORDER PURSUANT TO 11 U.S.C. § 362(d) MODIFYING THE AUTOMATIC  
STAY IMPOSED BY 11 U.S.C. § 362(d)**

UPON the Motion, dated August 24, 2009 (the “Motion”), of Water Pollution Control Authority for the City of Bridgeport (the “Movant”), seeking an Order (i) pursuant to Bankruptcy 4001 and 11 U.S.C. 362(d) seeking relief from the Automatic Stay (ii) waiving the ten (10) day stay invoked pursuant to F.R.B.P. 4001(a)(3); and (iii) granting Movant such other and further relief as is just and proper under the circumstances of this case; and due and proper notice if the Motion having been made on all necessary parties; and the Court having held a hearing (the “hearing”) on December 16, 2009; and there being no opposition to the Motion; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefore, it is hereby

**ORDERED** that the Motion is granted as provided herein; and it is further

**ORDERED** that the Automatic Stay imposed in this case by section 362(a) of the Bankruptcy Code is vacated under section 362(d) of the Bankruptcy Code so as to

allow Movant, its successors and/or assigns, to commence and/or continue with foreclosure proceedings and eviction proceedings with respect to the Property located at 534-540 Hallet Street, Bridgeport, Connecticut 06608; and it is further

**ORDERED** that the stay invoked pursuant to F.R.B.P. 4001(a)(3) is waived and this order is effective upon the signing of this order.

Dated: , 2009  
, New York

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Hon. James M. Peck  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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**ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY**

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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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**AFFIRMATION IN SUPPORT OF ENTRY OF AN ORDER GRANTING  
RELIEF FROM THE AUTOMATIC STAY**

**TO: THE HONORABLE JAMES M. PECK:  
UNITED STATES BANKRUPTCY JUDGE:**

The Application of Water Pollution Control Authority for the City of Bridgeport ("Movant"), by its attorney, Juda J. Epstein, Esq., respectfully represents and says:

Juda J. Epstein, Esq., an attorney at law duly admitted to practice before this Court and the Courts of the State of New York, hereby affirms the following to be true under penalty of perjury:

**I. PRELIMINARY STATEMENT**

1. Lehman Brothers Holdings Inc. holds a first mortgage lien on certain real personal property (collectively, the "Property") owned by non-debtor, Melvin Gordils. On January 23, 2009, Water Pollution Control Authority for the City of Bridgeport commenced a foreclosure action against the non-debtor Melvin Gordils in the Judicial District of Fairfield at Bridgeport,

1061 Main Street, Bridgeport, Connecticut, Docket Number CV-09-6002672-S.

2. Lehman Brothers Holdings Inc., the Debtor, as a defendant in the Foreclosure Action, asserts a first mortgage lien upon some or all of the Property.

**II. RELIEF REQUESTED**

3. This is a contested matter brought pursuant to Federal Rules of Bankruptcy Procedure Rules 4001 and Section 362(d) of Title 11 of the United States Code (the “Bankruptcy Code”), for an Order: (i) pursuant to Bankruptcy Rule 4001 and 362(d) seeking relief from the Automatic Stay as to real property known as 534-540 Hallet Street, Bridgeport, Connecticut 06608 (the “Premises”) (ii) waiving the ten (10) days stay invoked pursuant to F.R.B.P. 4001(a)(3); and (iii) granting Movant such other and further relief as is just and proper under the circumstances of this case.

**III. BACKGROUND**

4. The movant/plaintiff is a municipality as described in the Connecticut General Statutes.
5. Melvin Gordils, is the record owner of real estate situated in the City of Bridgeport known as 534-540 Hallett Street bounded and described as follows:

All that certain piece or parcel of real estate situated in Bridgeport, Connecticut, including the buildings and improvements thereon, described as follows:

NORTH: on Arctic Street. 80 feet;  
EAST: by land now or formerly of Michael Kelly, 52 1/2 feet;

SOUTH: by land now or formerly of Mary A. Quinn, 80 feet;  
WEST: by Hallett Street, 52 1/2 feet.

Otherwise known as 534-540 Hallett Street, Bridgeport, CT.

6. There is presently due and owing in excess of \$6,235.81 plus interest, late fees, attorney fees and costs.
7. There is no equity for the debtor in this property prior to the rights of Movant.
8. To date, the Movant has not received payment for municipal sewer charges for over fourteen (14) months, and did not receive payment for any municipal sewer charges from the date of filing this Bankruptcy Petition.
9. The Movant municipality loses its priority after fifteen years under the Connecticut General Statutes and the debtor has made no offer of adequate protection by way of payment and the stay of proceeding should be terminated in accordance with 11 U.S.C. 362(d)(2)(a).

**WHEREFORE**, Movant respectfully requests that an Order be granted vacating the automatic stay as to it, permitting maintenance of a foreclosure proceedings with respect to the subject premises; waiving the ten (10) day stay pursuant to F.R.B.P 4001(a)(3); and for such other and further relief as the Court may deem just and proper.

Dated: August 24, 2009  
Bridgeport, CT

Respectfully submitted,

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**NOTICE OF MOTION AND AFFIRMATION IN SUPPORT OF ENTRY OF AN  
ORDER VACATING STAY**

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